

**TWENTY-FIFTH DAY.**

Senate Chamber,  
Austin, Texas,  
February 17, 1931.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Edgar Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Parrish.
Berkeley.	Patton.
Cunningham.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Holbrook.	Russek.
Hornsby.	Small.
Loy.	Stevenson.
Martin.	Thomason.
Moore.	Williamson.
Oneal.	Woodruff.
Parr.	Woodward.

**Absent—Excused.**

Cousins.	Neal.
DeBerry.	Pollard.
Hardin.	Woodul.
Hopkins.	

Prayer by Rev. Greider, of Dubuque, Iowa.

Pending the reading of the Journal of yesterday, the same was dispensed withon motion of Senator Woodward.

**Petitions and Memorials.**

(See Appendix.)

**Committee Reports.**

(See Appendix.)

**Bills and Resolutions.**

By Senator Thomason:

S. B. No. 391, A bill to be entitled "An Act to provide for the prompt payment of the salary and expenses of official shorthand reporters; providing that when the general fund of the county is on deficiency, such salary and expenses may be paid from any other available fund; and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

By Senator Thomason:

S. B. No. 392, A bill to be entitled "An Act making an appropriation for

the benefit of Fastrill Common School District No. 10 of Cherokee County on account of the recent destruction of the school building and facilities in the territory now composing said district; directing the expenditure of said money and declaring an emergency."

Read and referred to the Committee on Finance.

By Senators Stevenson, Purl, Woodul:

S. B. No. 393, A bill to be entitled "An Act providing that the policyholders of insurance companies, which are home companies as defined by the laws of Texas, may purchase and own the capital stock of such companies; and convert such companies into mutual insurance companies to be controlled by their policyholders and requiring the approval of the plan for such conversion by the chairman of the State Board of Insurance Commissioners and directors and stockholders as well as the policyholders of such companies, and declaring an emergency."

Read first time and referred to Committee on Insurance.

By Senator Holbrook:

S. B. No. 394, A bill to be entitled "An Act authorizing counties and the State Highway Commission and other bodies to condemn land, earth, stone or other material convenient or necessary for the laying out, opening, and/or maintaining and constructing of roads, and for the drainage of same; providing the right of ingress and egress for the purposes of surveying, laying out, and prospecting for materials; providing the procedure thereof, particularly as directed by Article 3264, and declaring an emergency."

Read and referred to the Committee on Highways and Motor Traffic.

By Senator Berkeley:

S. B. No. 395, A bill to be entitled "An Act repealing an Act of the Thirty-ninth Legislature approving a compact entered into on February 10, 1925, by Commissioner of State of Texas with Commissioner of State of New Mexico relating to the storage, division and use of the waters of the Pecos River in the State of Texas and New Mexico."

Read and referred to the Committee on Federal Relations.

By Senators Woodward, Rawlings:  
S. B. No. 396, A bill to be entitled "An Act declaring the public policy of this State with reference to the business of transporting property for hire by means of motor vehicles over the highways of this State; declaring that the business of a motor carrier is impressed with the public interest; defining "Commission," "Highway Commission," "person," "motor carrier," "public highway," and "certificate;" providing for the regulation and control of motor carriers; etc., and declaring an emergency."

Read and referred to the Committee on Highways and Motor Traffic.

By Senators Woodward, Rawlings.  
S. B. No. 397, A bill to be entitled "An Act regulating the operation of vehicles other than devices moved by human power or used exclusively upon stationary rails or tracks upon the public highways, limiting the size and weight of vehicles and combinations or trains of vehicles, and loads thereon permitted on any public highway, requiring lights at various places on certain vehicles, requiring certain types of bodies on certain vehicles, limiting the distance between vehicles in any combination or train of vehicles, restricting the stopping or parking of vehicles on the improved portion of the highway, providing for the weighing of vehicles by weight inspectors of the State Highway Department, and authorizing such weight inspectors to require vehicles overloaded to be unloaded, limiting the number of vehicles that may be operated on the highway in a combination or train of vehicles, limiting the distance between the connections between any two vehicles operating on the highway, etc., and declaring an emergency."

Read and referred to the Committee on State Highways and Motor Traffic.

By Senator Martin:

S. B. No. 398, A bill to be entitled "An Act creating a more efficient road system for Johnson County, Texas; providing that the County Commissioners shall be road Commissioners of their respective precincts; providing that such commissioners shall have charge of the

road teams, tools, machinery and appliances of said county under the direction of the commissioners' court; providing for the laying out, establishment, construction of roads, bridges and culverts, and for the repair and maintenance thereof; providing that the commissioners' court shall cooperate with the State Highway Department in the establishment construction and maintenance of roads, bridges, and culverts to be paid for partly by the county and partly by the State or Federal Government; authorizing the Commissioners' Court of Johnson County to issue bonds of said County for the funding or refunding indebtedness contracted for road and bridge purposes, and to levy a tax in payment thereof; and declaring an emergency."

Read and referred to the Committee on Highways and Motor Traffic.

By Senator Greer:

S. B. No. 399, A bill to be entitled "An Act providing for the employment of County Supervisors of rural schools; exempting counties making provision for the employment of supervisors from the provisions of the institute law; making provision for the payment of the salaries and expenses of supervisors; repealing all laws in conflict herewith; and declaring an emergency."

Read and referred to the Committee on Educational Affairs.

By Senator Woodruff:

S. B. No. 400, A bill to be entitled "An Act regulating the taking and catching of catfish, bass and perch in Wise and Jack Counties, Texas, with any seine or net of a certain mesh; prescribing offenses, fines and penalties; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

Read and referred to the Committee on State Affairs.

By Senator Woodruff:

S. B. No. 401, A bill to be entitled "An Act to levy and collect annually, Four Dollars road tax against all able-bodied male citizens of Wise County, Texas, and prescribing in lieu thereof certain road duties for such citizens, who are between the ages of twenty-one and forty-five years; providing the manner of assessment and collection of said tax, the manner in which said road duty

is to be performed, and repealing all laws in conflict therewith; and declaring an emergency."

Read and referred to the Committee on Highways and Motor Traffic.

**Senator Martin Added to Committee on Highways and Motor Traffic.**

On motion of Senator Williamson, Senator Martin was added to the Committee on Highways and Motor Traffic.

**Senate Bill No. 373.**

The Chair laid before the Senate, on its second reading the following bill:

By Senator Hornsby:

S. B. No. 373, A bill to be entitled "An Act providing for a supervisor, or supervisors in lieu of the county teachers' institute, repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

The Committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Hornsby the Constitutional Rule requiring bills to be read on three several days was suspended and S. B. No. 373, was put on its third reading and final passage, by the following vote:

**Yeas—24.**

Beck.	Parrish.
Berkeley.	Patton.
Cunningham.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Holbrook.	Russek.
Hornsby.	Small.
Loy.	Stevenson.
Martin.	Thomason.
Moore.	Williamson.
Oneal.	Woodruff.
Parr.	Woodward.

**Absent—Excused.**

Cousins.	Neal.
DeBerry.	Pollard.
Hardin.	Woodul.
Hopkins.	

Read third time and finally passed by the following vote:

**Yeas—24.**

Beck.	Gainer.
Berkeley.	Greer.
Cunningham.	Holbrook.

Hornsby.  
Loy.  
Martin.  
Moore.  
Oneal.  
Parr.  
Parrish.  
Patton.  
Poage.

Purl.  
Rawlings.  
Russek.  
Small.  
Stevenson.  
Thomason.  
Williamson.  
Woodruff.  
Woodward.

**Absent—Excused.**

Cousins.  
DeBerry.  
Hardin.  
Hopkins.

Neal.  
Pollard.  
Woodul.

**Senate Bill No. 31 Re-referred.**

On motion of Senator Williamson, S. B. No. 31 was re-referred to the Committee on Highways and Motor Traffic.

**Senate Bill No. 54.**

The Chair laid before the Senate, as pending business the following bill:

By Senator Woodward:

S. B. No. 54, A bill to be entitled "An Act amending Articles 921 and 922 of the Code of Criminal Procedure of the State of Texas, relating to the method of determining the issue of insanity after a defendant has been convicted of crime, and declaring an emergency."

Senator Martin sent up the following amendment:

Amend Senate Bill No. 54 as follows:

In Section 2 of the Engrosed Bill, Page 1, in Lines 6 and 7 of Article 922, strike out the words "of the State of Texas."

MARTIN,  
HOLBROOK.

The amendment was read.

Senator Woodward moved to table the amendment. The motion prevailed.

Senator Holbrook sent up the following amendment:

Amend S. B. No. 54, by inserting after the first partial word in line 27, page 1, of the Bill the following: "made by the mother of the defendant."

HOLBROOK.

The amendment was read, and lost by the following vote:

## Yeas—7.

Berkeley.	Patton.
Holbrook.	Russek.
Martin.	Woodruff.
Parr.	

## Nays—15.

Beck.	Parrish.
Cunningham.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Hornsby.	Thomason.
Loy.	Williamson.
Moore.	Woodward.
Oneal.	

## Absent.

Stevenson.

## Absent—Excused.

Cousins.	Neal.
DeBerry.	Pollard.
Hardin.	Small.
Hopkins.	Woodul.

The bill was finally passed by the following vote:

## Yeas—16.

Beck.	Poage.
Cunningham.	Purl.
Greer.	Rawlings.
Hornsby.	Stevenson.
Loy.	Thomason.
Moore.	Williamson.
Oneal.	Woodruff.
Parrish.	Woodward.

## Nays—6.

Berkeley.	Parr.
Holbrook.	Patton.
Martin.	Russek.

## Absent.

Small.

## Absent—Excused.

Cousins.	Neal.
DeBerry.	Pollard.
Hardin.	Woodul.

## (Pairs Recorded.)

Senator Gainer (present), who would vote yea, with Senator Hopkins, (absent), who would vote nay.

## Senate Bill No. 136.

The Chair laid before the Senate, on its second reading the following bill:

## By Senator Thomason:

S. B. No. 136, A bill to be entitled "An Act amending Subdivision 2 of Article 199, Title 8, revised Civil Statutes of Texas of 1925, and providing for changing and prescribing terms and times of holding the Courts in the Second Judicial District of Texas; validating and continuing all processes and writs, bonds and recognizances and making them returnable to the terms of court in the several counties in said district as herein fixed; to validate the summoning of grand and petit jurors under the present law so as to render them available under the present Act; to repeal all laws and parts of laws in conflict herewith; providing for and declaring an emergency, and providing time for this Act to take effect."

The Committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Thomason the Constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 136, was put on its third reading and final passage, by the following vote:

## Yeas—24.

Beck.	Parrish.
Berkeley.	Patton.
Cunningham.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Holbrook.	Russek.
Hornsby.	Small.
Loy.	Stevenson.
Martin.	Thomason.
Moore.	Williamson.
Oneal.	Woodruff.
Parr.	Woodward.

## Absent—Excused.

Cousins.	Neal.
DeBerry.	Pollard.
Hardin.	Woodul.
Hopkins.	

Read third time and finally passed by the following vote:

## Yeas—24.

Beck.	Hornsby.
Berkeley.	Loy.
Cunningham.	Martin.
Gainer.	Moore.
Greer.	Oneal.
Holbrook.	Parr.

Parrish.	Small.
Patton.	Stevenson.
Poage.	Thomason.
Purl.	Williamson.
Rawlings.	Woodruff.
Russek.	Woodward.

Absent—Excused.

Cousins.	Neal.
DeBerry.	Pollard.
Hardin.	Woodul.
Hopkins.	

**Senate Bill No. 221.**

The Chair laid before the Senate, on its second reading the following bill:

By Senator Martin:

S. B. No. 221, A bill to be entitled "An Act providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor; providing for visits to schools of the county and work in cooperation with teachers; prescribing the salary of said supervisor and how it shall be paid; providing other things incidental to said purpose; and declaring an emergency."

The Committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Martin, the Constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 221, was put on its third reading and final passage, by the following vote:

Yeas—24.

Beck.	Parrish.
Berkeley.	Patton.
Cunningham.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Holbrook.	Russek.
Hornsby.	Small.
Loy.	Stevenson.
Martin.	Thomason.
Moore.	Williamson.
Oneal.	Woodruff.
Parr.	Woodward.

Absent—Excused.

Cousins.	Neal.
DeBerry.	Pollard.
Hardin.	Woodul.
Hopkins.	

Read third time and finally passed by the following vote:

Yeas—24.

Beck.	Parrish.
Berkeley.	Patton.
Cunningham.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Holbrook.	Russek.
Hornsby.	Small.
Loy.	Stevenson.
Martin.	Thomason.
Moore.	Williamson.
Oneal.	Woodruff.
Parr.	Woodward.

Absent—Excused.

Cousins.	Neal.
DeBerry.	Pollard.
Hardin.	Woodul.
Hopkins.	

**Senate Bill No. 265.**

The Chair laid before the Senate, on its second reading the following bill:

By Senator Thomason:

S. B. No. 265, A bill to be entitled "An Act providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor; providing for visits to schools in the county and work in cooperation with teachers; prescribing the salary of said supervisor and how it shall be paid; providing other things incidental to said purpose; and declaring an emergency."

The Committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Thomason, the Constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 265, was put on its third reading and final passage, by the following vote:

Yeas—24.

Beck.	Parrish.
Berkeley.	Patton.
Cunningham.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Holbrook.	Russek.
Hornsby.	Small.
Loy.	Stevenson.
Martin.	Thomason.
Moore.	Williamson.
Oneal.	Woodruff.
Parr.	Woodward.

**Absent—Excused.**

Cousins.	Neal.
DeBerry.	Pollard.
Hardin.	Woodul.
Hopkins.	

Read third time and finally passed by the following vote:

**Yeas—24.**

Beck.	Parrish.
Berkeley.	Patton.
Cunningham.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Holbrook.	Russek.
Hornsby.	Small.
Loy.	Stevenson.
Martin.	Thomason.
Moore.	Williamson.
Oneal.	Woodruff.
Parr.	Woodward.

**Absent—Excused.**

Cousins.	Neal.
DeBerry.	Pollard.
Hardin.	Woodul.
Hopkins.	

**H. C. R. No. 18.**

The Chair laid before the Senate, H. C. R. No. 18, Relating to a tariff on jute.

Read and, on motion of Senator Holbrook, referred to the Committee on Federal Relations.

**H. C. R. No. 21.**

The Chair laid before the Senate, H. C. R. No. 21, urging people of Texas to assist Statewide Commission on representation of Texas at the World's Fair in Chicago in 1933.

Read and adopted.

**Senators Excused.**

The following Senators were excused for the day on account of important business:

Senator Woodul, on motion of Senator Patton.

Senator DeBerry on motion of Senator Poage.

Senator Hopkins, on motion of Senator Russek.

Senator Cousins, on motion of Senator Holbrook.

Senator Pollard, on motion of Senator Cunningham.

On motion of Senator Moore, Senator Hardin was excused for the day on account of illness.

**Motion Relative to Adjournment.**

Senator Woodward moved that when the Senate adjourned today it

do so in honor of the late brother of Senator Neal.

The motion prevailed.

**Simple Resolution No. 49.**

Senators Neal and Holbrook sent up the following resolution:

WHEREAS, Count Carlo Sfarza, a member of the Senate in the Kingdom of Italy, a former high Commissioner in Turkey, Minister of Foreign Affairs in the Italian Cabinet, a former Ambassador of his country to France, and to China, and one of the most distinguished of his country's Statesmen, is in the City lecturing on International Relations at the University of Texas, under the auspices of the Carnegie Peace Foundation,

Therefore be it resolved that he be invited to address the Senate of Texas on Monday morning, February 23rd, at 11 o'clock A. M., and a copy of this invitation be sent to him.

HOLBROOK,  
NEAL.

Read and adopted.

**Adjournment.**

On motion of Senator Poage, the Senate, at 11:20 o'clock a. m., by rising vote adjourned until 10 o'clock tomorrow morning out of respect to the memory of Dr. Neal.

**APPENDIX.****Petitions and Memorials.****First National Bank of Jefferson City.**

Jefferson City, Mo., Jan. 28, 1931.

To the Chief Clerks of the Senate and House of Representatives.

Gentlemen: I am enclosing herewith copy of a Joint and Concurrent resolution adopted by the Missouri State Senate and House of Representatives on January 22, 1931. This Joint and Concurrent Resolution is self-explanatory. You have drainage districts and levee districts in your State. They are doubtless in distress for the same reasons that exist in Missouri. You are doubtless aware that there is before Congress what it known as the Glenn-Smith Bill, and that it has passed the Senate and is now before the House. The purpose of the Glenn-

Smith bill is to lend Federal money, without interest, to drainage and levee districts over a period of not more than forty years, with which to pay off their obligations and give them an opportunity to rehabilitate themselves. It is tremendously important that this bill be passed at this session of Congress which ends March 4th. Therefore quick action is necessary. We have at Washington able men leading the fight for the passage of this bill. They represent the National Drainage Association. The National Drainage Association is sponsoring the Glenn-Smith bill. We need the co-operation of your State.

Will you bring this resolution and letter to the attention of the members of your Senate and House to the end that they may present a similar resolution and have it adopted and forwarded to the House of Representatives at Washington, D. C. Believing this is the greatest and most practical relief measure for farmers, I sincerely hope and trust that you will be willing to have a similar resolution adopted at once by your legislative bodies.

Yours respectfully,

A. A. SPEER,

Chairman Agricultural Committee of the Missouri State Chamber of Commerce.

#### Joint And Concurrent Resolution.

Whereas, There are many Drainage and Levee Districts in this State that are in distress because of recent floods and drouth and are now unable to bear the burden of the taxation incident to the cost of drainage and levee improvements, and

Whereas, The homesteads of thousands of farmers in special improvement districts are being sold at the Court House door, and

Whereas, The Government permits the farmers on Federal irrigation projects to pay their assessment costs on basis of 40 years without interest, and

Whereas, There is now pending in the House of Representatives at Washington, D. C., what is known as the Glenn-Smith Bill, the purpose of which is to place drainage, levee and private irrigation districts on the same basis as Federal aid projects, and

Whereas, This bill passed the Senate unanimously and has been reported out of the House Commit-

tee on Irrigation and Reclamation unanimous vote, and

Whereas, This is one of the most practical and beneficial relief measures that can be granted to five million American citizens on land in these special improvement districts in this and other States, and

Whereas, It is economically sound, and can be put into operation at once, therefore be it

Resolved, By the State Senate of Missouri, the House of Representatives concurring therein, that the lower house of Congress of the United States, be, and is hereby, memorialized to immediately pass the Glenn-Smith Act to the end that speedy relief may be brought to the farmers of these distressed Drainage and Levee Districts, restoring the morale, the hope and the courage of the farmers residing therein, opening new reservoirs of credit that are now closed to them by reason of the high taxes, and preserve vast taxable lands to the State that are now threatened with a return to swamps.

Copy of Joint and Concurrent Resolution adopted by the Missouri State Senate and House of Representatives on January 22, 1931. Copy wired to the Chief Clerk of the House of Representatives at Washington, D. C., and a copy ordered sent to the desk of each member.

Read and referred to the Committee on Agricultural Affairs.

#### Committee on Engrossed Bills.

Austin, Texas, Feb. 17th, 1931.

Hon. Edgar E. Whitt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 54 carefully examined and compared and find same correctly Engrossed.

GAINER, Chairman.

#### Committee Reports.

##### Committee Room.

Austin, Texas, Feb. 16, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

S. B. No. 31, A bill to be entitled "An Act to amend Section sixteen, Senate Bill Eleven, Chapter Forty-two, General Laws of the Second Called Session of the Forty-first Legislature."

Have had the same under consideration, and I am instructed to report it back to the Senate with recommendation that it do pass, with committee amendment.

WILLIAMSON, Chairman.

Amend S. B. No. 31, by striking out all after the word "State" in line 21 of Section 16, and all of lines 22 and 23, and the word "highways" in line 24 of said Section, and insert in lieu thereof the following:

"They shall be charged primarily with the duty of enforcing all the State laws relating to vehicles and traffic on the public highways; but, they are also vested with all the rights and powers of peace officers, generally."

RAWLINGS.

Committee Room.

Austin, Texas, Feb. 16, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

S. B. No. 85, A bill to be entitled "An Act to amend Section 2, Chapter 18, Acts of the Fifth Called Session of the 41st Legislature, and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendations that it do pass and be not printed, as it was previously printed.

WILLIAMSON, Chairman.

Committee Room.

Austin, Texas, Feb. 16, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

S. B. No. 288, A bill to be entitled "An Act to amend Section 1 of Chapter 79 of the Acts of the Fifth Called Session of the Forty-first Legislature, and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendations that it do pass.

WILLIAMSON, Chairman.

Committee Room.

Austin, Texas, Feb. 16, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

S. B. No. 252, A bill to be entitled "An Act creating special road law for Henderson County, Texas, requiring surety bonds for road overseers, containing provisions that said County may fund the legal indebtedness outstanding against its road and bridges fund, as of January 1, 1929, setting forth the method of said operation and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendations that it do pass.

WILLIAMSON, Chairman.

Committee Room.

Austin, Texas, Feb. 16, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

S. B. No. 364, A bill to be entitled "An Act to create Road District No. 11 of Fayette County, Texas, conferring powers, privileges and duties generally conferred upon such districts; authorizing the holding of elections to vote and issue bonds, levy and collect taxes for the purpose of construction and maintenance of macadamized, gravel or paved roads and turnpikes, or in aid thereof; authorizing said district to have all powers, authority and privileges conferred by law on such districts, especially under Chapter 16 of the General Laws of the 39th Legislature at its First Called Session; and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendations that it do pass.

WILLIAMSON, Chairman.

Committee Room.

Austin, Texas, Feb. 16, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 14, A bill to be entitled "An Act to minimize the fire hazard in the operation of Dry Cleaning and Dry Dyeing business, defining and regulating same and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

STEVENSON, Chairman.



Committee Room.

Austin, Texas, Feb. 13, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 199, A bill to be entitled "An Act making an appropriation restoring as a special fund an amount which has been converted into the general revenue fund, which was deposited in the State Treasury under an Act of Congress entitled an Act to reimburse the Governors of States and territories for expenses incurred by them in aiding the United States to raise and organize the volunteer army in the war with Spain; providing for the administration of said fund, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed in the Journal.

BECK, Chairman.

By Cunningham. S. B. No. 199.

#### A BILL

#### To Be Entitled

An Act making an appropriation restoring as a special fund an amount which has been converted into the general revenue fund, which was deposited in the State Treasury under an Act of Congress entitled an Act to reimburse the Governors of States and territories for expenses incurred by them in aiding the United States to raise and organize the volunteer army in the war with Spain; providing for the administration of said fund, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the sum of \$4968.15, representing an unexpended balance which was appropriated by Chapter 647, Acts of the Second Session of the Fifty-fifth Congress, and Chapter 445, Acts of the Third Session of the Fifty-fifth Congress, which was an appropriation to reimburse the Governors of States for expenses incurred by them in aiding the United States to raise and organize, and supply and equip the Volunteer Army in the War with Spain, is hereby appropriated as hereinafter provided. Said sum is

the unexpended balance appropriated by Congress to pay officers and men who had not been paid by the State of Texas, and which amount has not as yet been claimed by them or their heirs, and in which appropriation by Congress it was specifically provided that no part of said fund should ever be converted into the Treasury of this State, but notwithstanding said provision, this fund was converted into the General Revenue Fund in 1923.

Sec. 2. That said fund is hereby appropriated and restored as a special fund to be known and designated by the Comptroller of Public Accounts and the Treasurer as the "Volunteer War With Spain Fund," and was heretofore designated in August, 1923.

Sec. 3. There is hereby created the Volunteer War with Spain Fund Commission, which shall consist of the Banking Commissioner, Attorney General, and State Treasurer, of the State of Texas; the Department Commander of the United Spanish War veterans, and the Department Commander of the American Legion of Texas, and their successors in office, of which the Banking Commissioner shall be Chairman; and said Commission is hereby charged to administer said funds as provided for in the Acts of Congress referred to herein; and provided, further, that the interest arising from said fund may be expended at the discretion of said Commission in aid of any disabled or indigent Spanish American War Veterans, their widows or dependents. Warrants shall be drawn on said fund by said Commission. "Said fund may be invested by said Commission in securities in which the Permanent Fund of the University of Texas may be invested," and provided, further, that said commission shall serve without compensation.

Sec. 4. Inasmuch as the said funds are not invested at this time and only interest on same can be used for aid to the beneficiaries therefore creates an emergency and an imperative public necessity exists requiring that the constitutional rule requiring bill to be read on three several days in each House be suspended and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

**In Memory**  
**of**  
**Dr. J. S. Neal**

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**SIMPLE RESOLUTION NO. 48.**

Senator Woodruff sent up the following resolution:

WHEREAS, Dr. J. S. Neal, for fifty-two years a citizen of Pano-la County, Texas, and for many years an active and faithful physician and surgeon of Carthage in said County, distinguished citizen and brother of our esteemed colleague and co-worker, Miss Margie Neal, Senator from the Second District, departed this life at one o'clock a. m., Tuesday, February 17th, A. D. 1931, and

WHEREAS, the deceased was not only a typification of that which was best in the profession of the practice of medicine and surgery and the alleviation of human suffering in every possible way but he also gave generously of his time, services and substance to constructive citizenship in his community and State, which makes of his decease a distinct loss to his community and to all of Texas, now, therefore,

BE IT RESOLVED, That the Senate of the State of Texas extend its condolences and deepest sympathy to the family of the deceased, that the Secretary of the Senate be hereby instructed to telegraph this Resolution to Senator Margie Neal, and family, at Carthage, Texas, and also that he be instructed to convey this message in a floral tribute to the departed, and that Mrs. Espa Stanford be requested to attend the funeral as a representative of the Senate; and

BE IT RESOLVED FURTHER, That the expense incident hereto be paid out of the contingent expense fund of the Senate, and that a page in the Senate Journal be set aside in honor of his memory.

Woodruff, Beck, Berkeley, Cousins, Cunningham, DeBerry, Gainer, Small, Greer, Hardin, Holbrook, Hopkins, Hornsby, Loy, Stevenson, Martin, Moore, Oneal, Parr, Parrish, Thomason, Patton, Poage, Pollard, Purl, Rawlings, Russek, Woodul, Woodward, Williamson.

Read and adopted unanimously by a rising vote.